

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

Jeffrey Thomas Jr., et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:22-cv-427
)	
Susan Beals, et al.,)	
)	
Defendants.)	

DEFENDANTS’ NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants, by counsel, respectfully submit this Notice of Supplemental Authority¹ to advise the Court of the United States Court of Appeals for the Fourth Circuit’s opinion in *Goldman v. Brink*, Nos. 21-2180, 22-1682 (4th Cir. July. 21, 2022), attached as **Exhibit A**.

The Fourth Circuit held that the “three-judge district court properly ruled that Goldman does not possess the Article III standing to sue that is required to pursue [his] civil action.” Exhibit A at 6. The Fourth Circuit further held Goldman’s lack of standing rendered defendants’ appeal of the sovereign immunity ruling moot, and accordingly vacated the district court’s order denying in part defendants’ motion to dismiss on sovereign immunity grounds. *Id.* at 7.

¹ Neither the Federal Rules of Civil Procedure nor the Local Rules of this Court explicitly provide for the filing of supplemental authorities. But notices of supplemental authority that “contain no legal argument and alert the Court to a case that was unavailable at the time of pleading” are “common practice.” *Ashghari-Kamrani v. United States Auto. Ass’n*, 2016 WL 8253884, at *2 (E.D. Va. Mar. 18, 2016); see also *Mawyer v. Atlantic Union Bank*, 2022 WL 1049311, at *7 n.8 (E.D. Va. Apr. 7, 2022) (Novak, J.) (considering a notice of supplemental authority).

Dated: July 22, 2022

Respectfully submitted,

SUSAN BEALS
ROBERT H. BRINK
VIRGINIA DEPARTMENT OF ELECTIONS

By: /s/ Andrew N. Ferguson
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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on July 22, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. A true copy was also sent, via email pursuant to an agreement between the parties, to:

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